

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16568. Misbranding of Dr. Hilton's specific No. 3. U. S. v. 11 Dozen Packages of Dr. Hilton's Specific No. 3. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23393. I. S. No. 02591. S. No. 1543.)

On February 14, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Dr. Hilton's specific No. 3, remaining in the original unbroken packages at Portland, Me., consigned by G. W. Hilton's Specifics (Inc.), Lowell, Mass., alleging that the article had been shipped from Lowell, Mass., on or about January 24, 1929, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of sugar pellets containing traces of alkaloid, arsenic, and alcohol.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (label and carton) "For the relief of * * * Coughs, Hoarseness, Grippe and Bronchitis," (circular) "Always keep a bottle of Dr. Hilton's No. 3 handy, * * * so that * * * you may Ward off * * * and relieve that Cough, Grippe and Bronchitis * * * Influenza. How to Guard Against It. * * * Influenza, as it was called in the seventeenth century, now known as the Grip—is an inflammation of some part of the delicate mucous membrane which lines the respiratory tract. * * * The ears, eyes, throat, head, lungs, either or all—may feel and show the symptoms. Whether it be called * * * Catarrh, Earache, Sore Throat, Laryngitis, Tonsilitis, Influenza—the Grip—or any other of the many different names given to these and similar affections, the cause in every case is the same * * * (Preventatives—Keep your hands clean—scald your table ware—keep out of the sick room—breathe fresh air—avoid crowds.) Always carry a bottle of Dr. Hilton's Specific No. 3 and on the first indication of a cold take six of the pellets, and repeat dose every hour for 3 or 4 hours—then every 2 hours until relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 2, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16569. Misbranding of Amex. U. S. v. 36 Packages of Amex. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23512. I. S. No. 05829. S. No. 1709.)

On March 11, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 packages of Amex, remaining in the original unbroken packages at Portland, Me., consigned by the Craig-Grandell Mfg. Co. (Inc.), Whitefield, N. H., alleging that the article had been shipped from Whitefield, N. H., on or about January 4, 1929, and transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a petrolatum base containing volatile oils including wintergreen and peppermint oils, menthol, and myrrh.

It was alleged in the libel that the article was misbranded in that certain statements hereinafter set forth regarding the curative and therapeutic effects of the said article, (jar label) "For internal and external inflammation * * * Coughs * * * Bronchitis, Tonsilitis, Sore Throat and Croup. * * * Aching Feet * * * Lamé Knees * * * Piles * * * Eczema, Salt Rheum and Erysipelas * * * Rheumatism * * * Prostate Glands and Cross Nerves," (circular) "For internal and external inflammation * * * ingredients * * * readily relieve inflammation. * * * Amex * * *

has been found specifically reliable. * * * remarkable results obtained with Amex * * * influenza, grippe, coughs, croup, whooping cough, bronchitis, tonsillitis, laryngitis, hoarseness, sore throat, throat infection, septic throat, neuralgia, pleurisy, pneumonia, * * * hay fever, catarrh, asthma, * * * piles * * * bunions, * * * aching feet, lameness, sprains, lame knees, eczema, salt rheum * * * swollen breast, hives, shingles, erysipelas, lame back, lumbago, cross-nerves, lame hips, rheumatism, prostate gland, inflammation of bladder, * * * adenoids, polypi, abscesses, tumors, boils, carbuncles, goitres, varicose veins. How to treat glands on side of neck. For intestinal flu. How to treat head for head trouble. * * * For caked and swollen breast * * * For hives and shingles * * * For erysipelas * * * For lame back and lumbago * * * For lame hips * * * For cross-nerves * * * like rheumatism * * * For rheumatism * * * for prostate gland * * * Thorough treatment will bring relief in a few days even in severe cases. For Kidney Trouble * * * For Adenoids and Polypi * * * Abscesses * * * For mastoid abscess * * * For tumor:— For tumors on limbs, neck, face or head * * * For boils and carbuncles:— Treat as for tumors. * * * For goitres:— Massage * * * with Amex * * * until goitre is reduced. * * * For varicose veins * * * to treat glands on side of neck:— Use Amex * * * If throat is sore, swab throat with Amex * * * For intestinal flu * * * For complication following throat infection and intestinal flu causing acute Brights Disease, use Amex * * * How to treat head for head trouble," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 2, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16570. Misbranding of Rau's cold and pain tablets. U. S. v. 27 Bottles of Rau's Cold and Pain Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23442. S. No. 1661.)

On February 25, 1929, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 27 bottles of Rau's cold and pain tablets, remaining in the original packages at Wheeling, W. Va., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., from St. Louis, Mo., on or about January 19, 1929, and transported from the State of Missouri into the State of West Virginia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetylsalicylic acid, acetphenetidin, and caffeine.

It was alleged in the libel that the article was misbranded in that the packages failed to bear a statement on the label of the quantity and proportion of acetphenetidin, a derivative of acetanilide contained therein, since the declaration was inconspicuous, and did not include a statement to the effect that acetphenetidin is a derivative of acetanilide. The charge recommended by this department was that the declaration of acetphenetidin was inconspicuous. Misbranding was alleged for the further reason that the container bore the following statements, "Pain capsules to relieve * * * grippe, to relieve pain take one or two capsules. Repeat if necessary in 30 minutes," which statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16571. Misbranding of Rx Winter cerate. U. S. v. 32 Jars of Rx Winter Cerate. Default decree of destruction entered. (F. & D. No. 23437. I. S. No. 0524. S. No. 1640.)

On February 26, 1929, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and con-